

**IN THE HIGH COURT OF UTTARANCHAL AT
NAINITAL**

Writ Petition No. 1214 (S/S) of 2005

Ms. Manju Bhatt,
Daughter of late Sri Durga Dutt Bhatt,
Serving as Mukhya Sewika,
Integrated Child Development Services (ICDS),
Child Development Project,
Haldwani (Rural),
District – Nainital. **.....Petitioner.**

V e r s u s.

1. State of Uttaranchal, through Secretary, Social Welfare Department, Government of Uttaranchal, Dehradun.
2. Director, Integrated Child Development Services, Uttaranchal, Dehradun.
3. District Programme Officer, Child Development Services, Nainital.
4. Child Development Project Officer, Haldwani (Rural), District – Nainital.

.....Respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri Manoj Tiwari, learned counsel for the petitioner and learned standing counsel, who has accepted notices on behalf of respondents.

Learned counsel for both the parties are agree to decide the writ petition at its admission stage itself.

Petitioner, who working as Mukhya Sevika in Integrated Child Development Services Department, Haldwani, has challenged the transfer order dated 30.06.2005 passed by respondent no. 2 by which she has been transferred from Haldwani, District – Nainital to Bajpur, District – Udham Singh Nagar.

Learned counsel for the petitioner has submitted that petitioner has served the department for last more than 16 years in the remote area and for the first time she has been transferred to Haldwani on 09.09.2003 on her own request. Petitioner is a divorcee, who has to look after her mother who is more than 75 years of age and one brother, who is suffering from mental illness and his treatment is going on at Haldwani. There is no medical facility at Bazpur.

Learned counsel for the petitioner has further submitted that she will have to face a lot of difficulties, in case, she is compelled to join at Bazpur, District – Udham Singh Nagar. In this regard, petitioner has already moved a representation before respondent no. 2 on 05.07.2005, which is annexure no.3 to the writ petition.

During the course of argument learned counsel for the petitioner has confined his prayer that respondents no. 2 may be directed to decide the representation of the petitioner within a particular period.

Respondent no. 2 i.e. Director, Integrated Child Development Services, Uttaranchal, Dehradun is directed to decide representation dated 05.07.2005 (Annexure No. 3 to the writ petition) of the petitioner within a period of four weeks from the date of production of certified copy of this order. Till the decision is taken on the petitioner's representation, the transfer order dated 30.06.2005 passed by respondent no. 2 shall be kept in abeyance.

With this direction writ petition is disposed of accordingly. No order as to costs.

(M.M. Ghildiyal, J.)

August 25, 2005
SKSharma